

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:12-CR-114-F-1

No. 5:12-CR-114-F-2

UNITED STATES OF AMERICA

v.

MICHAEL WALLS,
DEVON ERIC SMITH,
Defendants.

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ORDER

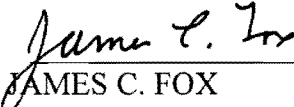
This matter is before the court on the Defendant Devon Eric Smith's Motion for Continuance of Arraignment and Extension of Time to file Pretrial Motions [DE-34].

Defendant's arraignment and trial are currently scheduled for the November 5, 2012 term of court. Based on the representations to the court in the Defendant's Motion, the consent of the Government, and for good cause shown, the Defendant's Motion is hereby ALLOWED.

Because Defendants Walls and Smith are both joined in a single indictment [DE-1], and no severance has been requested or allowed, the arraignment and trial as to both Defendants are continued to the court's **January 2, 2013**, term of court. 18 U.S.C. § 3161(h)(6). The court finds that the ends of justice served by this continuance outweigh the interests of the Defendants and the public in a speedy trial. Any period of delay occasioned by this continuance therefore shall be excluded pursuant to 18 U.S.C. § 3161(h). All pretrial motions shall be filed no later than **December 5, 2012**. Responses to motions shall be filed no later than **December 27, 2012**.

SO ORDERED.

This the ^{23rd}~~24th~~ day of October, 2012.



JAMES C. FOX
Senior United States District Judge